

Message Text

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ACTION IO-13

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E. O. 11652: N/ A

TAGS: SOCI, ECOSOC

SUBJECT: HUMAN RIGHTS COMMISSION- PAKISTANI PRISONERS OF WAR

1. IN AN UNUSUAL ATMOSPHERE OF BRIGHT LIGHTS AND MOVIE CAMERAS, WITH A DELEGATION OF PAKISTANI WOMEN SITTING IN THE PUBLIC GALLERY, THE QUESTION OF PAKISTAN PRISONERS OF WAR, AS STAGE MANAGED BY THE DELEGATION OF PAKISTAN, WAS RAISED IN THE HUMAN RIGHTS COMMISSION AT THE AM MEETING MARCH 28.
 2. THE MEETING OPENED ON A POINT OF ORDER BY THE REP OF THE NETHERLANDS WHO MOVED THAT THE DEBATE ON ITEM 7 BE INTERRUPTED SO THAT THE COMMISSION MIGHT TAKE UP ITEM 10 ON ITS AGENDA, THE ITEM RELATING TO VIOLATIONS OF HUMAN RIGHTS. (ITEM 7, A ROUTINE ITEM CONCERNING A SPECIAL REPORT ON ECONOMIC RIGHTS, HAS BEEN DISCUSSED FOR THE LAST THREE MEETINGS.)
 3. THE NETHERLANDS REP PRESENTED A FIVE POINT MOTION PROPOSING THAT THE COMMISSION AGREE TO HEAR REPS OF (A) THE ALL- PAKISTAN WOMEN' S ASSOCIATION; (B) THE ALL- INDIA WOMEN' S CONFERENCE; (C) THE GOVERNMENT OF BANGLADESH; (D) THE DELEGATION OF PAKISTAN AND (E) THE DELEGATION OF INDIA. WITHOUT OBJECTION THE CHAIRMAN RULED THAT THE COMMISSION SHOULD BEGIN CONSIDERATION OF ITEM 10.
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4. THE FIRST TWO SPEAKERS REPRESENTED RECOGNIZED NON-GOVERNMENTAL ORGANIZATIONS WHICH ARE ACCORDED THE RIGHT TO ADDRESS THE HRC UNDER THE RULES OF PROHVURE. A HEARING TO THE REP OF BANGLADESH WAS ACCORDED OUTSIDE THE RULES SINCE NO PROVISION IS MADE FOR HEARING NON- MEMBERS OF THE UN.

5. THE REP OF THE ALL- PAKISTAN WOMEN' S ASSOCIATION, SPEAKING AS THE WIFE OF A SOLDIER HELD IN CAPTIVITY SINCE DEC 1971, DELIVERED A MOVING PLEA FOR THE RELEASE OF THE PAKISTANI PRISONERS OF WAR. THE SECOND SPEAKER, THE REP OF THE ALL- INDIA WOMEN' S CONFERENCE ASKED THAT HER SISTERS IN PAKISTAN PLEAD WITH THE GOVERNMENT OF PAKISTAN TO ACCEPT THE REALITIES OF THE SITUATION IN THE SUB- CON- TINENT. SHE ALSO DREW ATTENTION TO THE PLIGHT OF THOSE PERSONS DETAINED IN PAKISTAN WHO DESIRE TO GO TO BANGLADESH.

6. THE THIRD SPEAKER, MR. HASSAN DIRGEN OF THE MIN OF FOREIGN AFFAIRS OF THE GOVERNMENT OF BANGLADESH, STRESSED THE SUFFERINGS WHICH HAD BEEN ENDURED BY BENGALIS AS A RESULT OF HUMAN RIGHTS VIOLATIONS COMMITTED BY PAKISTANI SOLDIERS, WHICH HE COMPARED TO NAZI ATROCITIES. HE REFERRED TO THE SITUATION OF THE 300,000 " NON- LOCALS" IN BANGLADESH WHO HAVE OPTED TO RETURN TO PAKISTAN AND HE REQUESTED THE HUMAN RIGHTS COMMISSION TO USE ITS GOOD OFFICES TO PERSUADE PAKISTAN TO AGREE TO AN EXCHANGE OF SUFFERING INNOCENT BENGALIS IN PAKISTAN FOR THE " NON- LOCALS" IN BANGLADESH. HE ASSERTED THAT " HOSTILITIES" BETWEEN BANGLADESH AND PAKISTAN WITHIN THE MEANING OF THE GENEVA CONVENTION HAVE NOT YET CEASED.

7. AMB NAIK OF PAKISTAN THEN DELIVERED A STRONG PLEA FOR THE RELEASE OF PAKISTANI PRISONERS, CITING ART 118 OF THE THIRD GENEVA CONVENTION AS WELL AS DECISIONS OF THE SECURITY COUNCIL AND THE UNGA AND THE PROMISE OF THE CHIEF OF THE INDIAN ARMY. HE QUOTED AT LENGTH FROM THE WORLD PRESS AND STATEMENTS OF WORLD LEADERS SYMPATHETIC TO PAKISTAN' S POSITION. HE DESCRIBED THE DEMANDS FOR THE RECOGNITION OF DACCA AUTHORITIES AS UNJUST AND INCONSISTENT WITH THE THIRD GENEVA CONVENTION. EXPRESSING REGRET FOR ATROCITIES COMMITTED BY ANY SIDE DURING THE CONFLICT, NAIK ASSERTED THAT THOSE COMMITTED BY THE PAKISTANI ARMY HAD BEEN GROSSLY EXAGGERATED. CLAIMED THAT BENGALIS IN PAKISTAN WERE BEING WELL TREATED AND EX- PRESSED THE REFUSAL OF HIS GOVERNMENT TO ACCEPT A MASS TRANSFER OF SO- CALLED " NON- LOCALS" IN EAST PAKISTAN TO PAKISTAN.

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8. FINAL SPEAKER WAS INDIAN REP, MRS. MENON, WHO DELIVERED THE STANDARD INDIAN ARGUMENTS IN REPLY TO THE PAKISTAN STATEMENT. RETURN OF PRISONERS OF WAR COULD NOT BE CARRIED OUT UNILATERALLY BY INDIA BUT NEEDED THE COOPERATION OF BANGLADESH SINCE PRISONERS OF WAR IN CUSTODY OF BOTH COUNTRIES. URGED THAT PAKISTAN TAKE MEASURES TO FACILITATE REPATRIATION. INDIA HAS MADE MOST MOVES IN CAUSE OF PEACE. REFUSAL OF PAKISTAN TO RECOGNIZE BANGLADESH WAS DELAYING SOLUTION. SHE QUOTED INTERNATIONAL LAWYER OPPENHEIM AS AUTHORITY FOR CONCLUSION THAT " HOSTILITIES" WITHIN MEANING OF GENEVA CONVENTION HAD NOT YET CEASED SINCE CESSATION OF HOSTILITIES WAS NOT EQUIVALENT OF CEASE FIRE. SO LONG AS A THREAT OF RESUMPTION OF HOSTILITIES EXISTS, PRISONERS OF WAR COULD BE HELD. SHE ASSERTED THAT INDIA HAD ACTED WITH UNEQUALLED RESTRAINT AND HUMANITY AND THAT THE PRISONERS OF WAR WERE BEING WELL TREATED, NOTING THAT THE MAJORITY HAVE GAINED WEIGHT DURING CAPTIVITY. AFTER EXPRESSING INDIA' S WILLINGNESS TO HAVE A SECOND SUMMIT, MRS. MENON CLOSED BY QUOTING STATEMENTS OF HER PRIME MINISTER CALLING ATTENTION TO THE SUFFERINGS OF THE BENGALIS IN PAKISTAN WHO WERE MUCH MORE NUMEROUS THAN THE 90,000 PAKISTAN PRISONERS OF WAR. MRS. MENON OFFERED THE HAND OF FRIENDSHIP TO PAKISTAN AND CALLED UPON THE THREE COUNTRIES OF THE SUB- CONTINENT TO WORK TOGETHER FOR THE GOOD OF ALL.

9. THE MEETING ADJOURNED WITHOUT ANY OTHER STATEMENTS BEING MADE. THE CHAIRMAN ANNOUNCED THAT AT THE NEXT MEETING, THE COMMISSION WOULD GO BACK TO ITEM 7 OF THE AGENDA. RIMESTAD

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